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(Modified) PTO/SB/21 (6-98)  
Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

09/671,764

Filing Date

September 27, 2001

First Named Inventor

Joseph R. Risegalla

Group Art Unit

1653

Examiner Name

Kam, C

Total Number of Pages in This Submission

Attorney Docket Number

407T-897810US

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## ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form  
☐ Fee Attached
- ☒ Amendment / Response  
☐ After Final  
☐ Affidavits/declaration(s)
- ☒ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application  
☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (please identify below):

receipt acknowledgment  
postcard  
Sequence Listing Hard  
Copy and Disk

### Authorization to Charge Deposit Account

Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |                                                                   |
|-------------------------|-------------------------------------------------------------------|
| Firm or Individual name | Tom Hunter Reg. No. 38,498 The Law Offices of Jonathan Alan Quine |
| Signature               |                                                                   |
| Date                    | October 25, 2001                                                  |

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: October 25, 2001

Typed or printed name Chianti Appling

Signature

Date

10/25/01

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Amino acid sequences for pentagastrin (page 9, lines 20-21) and C-terminaltetrapeptide (page 10, line 15).

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216 or (703) 308-2923
- For CRF Submission Help, call (703) 308-4212
- For PatentIn software Program Support:
  - HELP DESK: (703) 739-8559, ext 508, M-F, 8 AM to 5 PM EST except holidays
  - Email: [PATIN21HELP@uspto.gov](mailto:PATIN21HELP@uspto.gov)
  - To purchase PatentIn software: (703) 306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

Complete if Known

|                      |                    |
|----------------------|--------------------|
| Application Number   | 09/671,764         |
| Filing Date          | September 27, 2001 |
| First Named Inventor | Joseph R. Pisegna  |
| Examiner Name        | Kam, C             |
| Group / Art Unit     | 1653               |
| Attorney Docket No.  | 407T-897810US      |

TOTAL AMOUNT OF PAYMENT (\$)

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: **50-0893**  
Deposit Account Name: **Law Offices of Jonathan Alan Quine**

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☐ Payment Enclosed:  
☐ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 740                    | 201 370                    | Utility filing fee     |          |
| 106 310                    | 206 155                    | Design filing fee      |          |
| 107 480                    | 207 240                    | Plant filing fee       |          |
| 108 690                    | 208 345                    | Reissue filing fee     |          |
| 114 150                    | 214 75                     | Provisional filing fee |          |

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | -20** =      | X              |          |
| Multiple Dependent | -3** =       | X              |          |

\*\*or number previously paid, if greater; For Reissues, see below

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description                                            | Fee Paid |
|----------------------------|----------------------------|------------------------------------------------------------|----------|
| 103 18                     | 203 9                      | Claims in excess of 20                                     |          |
| 102 84                     | 202 42                     | Independent claims in excess of 3                          |          |
| 104 280                    | 204 140                    | Multiple dependent claim, if not paid                      |          |
| 109 78                     | 209 39                     | ** Reissue independent claims over original patent         |          |
| 110 18                     | 210 9                      | ** Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$)

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description                                                            | Fee Paid |
|----------------------------|----------------------------|----------------------------------------------------------------------------|----------|
| 105 130                    | 205 65                     | Surcharge - late filing fee or oath                                        |          |
| 127 50                     | 227 25                     | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139 130                    | 139 130                    | Non-English specification                                                  |          |
| 147 2,520                  | 147 2,520                  | For filing a request for reexamination                                     |          |
| 112 920*                   | 112 920*                   | Requesting publication of SIR prior to Examiner action                     |          |
| 113 1,840*                 | 113 1,840*                 | Requesting publication of SIR after Examiner action                        |          |
| 115 110                    | 215 55                     | Extension for reply within first month                                     | 60.00    |
| 116 400                    | 216 200                    | Extension for reply within second month                                    |          |
| 117 920                    | 217 460                    | Extension for reply within third month                                     |          |
| 118 144                    | 218 720                    | Extension for reply within fourth month                                    |          |
| 128 0                      | 228 980                    | Extension for reply within fifth month                                     |          |
| 119 320                    | 219 160                    | Notice of Appeal                                                           |          |
| 120 300                    | 220 150                    | Filing a brief in support of an appeal                                     |          |
| 121 260                    | 221 130                    | Request for oral hearing                                                   |          |
| 138 1,510                  | 138 1,510                  | Petition to institute a public use proceeding                              |          |
| 140 110                    | 240 55                     | Petition to revive - unavoidable                                           |          |
| 141 1280                   | 241 640                    | Petition to revive - unintentional                                         |          |
| 142 1280                   | 242 640                    | Utility issue fee (or reissue)                                             |          |
| 143 430                    | 243 215                    | Design issue fee                                                           |          |
| 144 580                    | 244 290                    | Plant issue fee                                                            |          |
| 122 130                    | 122 130                    | Petitions to the Commissioner                                              |          |
| 123 50                     | 123 50                     | Petitions related to provisional applications                              |          |
| 126 180                    | 126 180                    | Submission of Information Disclosure Stmt                                  |          |
| 581 40                     | 581 40                     | Recording each patent assignment per property (times number of properties) |          |
| 146 690                    | 246 345                    | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149 690                    | 249 345                    | For each additional invention to be examined (37 CFR 1.129(b))             |          |

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 60.00

## SUBMITTED BY

Typed or Printed Name: **Tom Hunter**

Signature: *Tom Hunter*

Date: **10/25/01**

## Complete (if applicable)

Reg. Number: **38,498**

Deposit Account User ID

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on this date: **October 25, 2001**

Typed or Printed Name: **Chianti Appling**

Signature: *Chianti Appling*

Date: **10/25/01**

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